

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

RAUSHAUD L. COLEMAN,)	
)	
Petitioner,)	
)	
v.)	No. 3:24-CV-102-KAC-DCP
)	
FCI MILAN,)	
)	
Respondent.)	

MEMORANDUM OPINION AND ORDER

Petitioner, a federal prisoner currently housed in the Federal Correctional Institution in Milan, Michigan (“FCI-Milan”), filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241[Doc. 2] and a memorandum in support [Doc. 3]. The Petition is putatively based on his criminal convictions in an action before this Court, *United States v. Coleman*, 3:19-CR-15-KAC-DCP-2 (E.D. Tenn., Jan. 21, 2022) [*See* Doc. 2 at 1]. In the Petition, Petitioner challenges the failure of the Warden of FCI-Milan to award him credits towards his sentence under the First Step Act [*Id.* at 6]. Petitioner has paid the filing fee.

A writ of habeas corpus pursuant to Section 2241 may be granted by “the district courts and any circuit judge within their respective jurisdictions.” 28 U.S.C. § 2241(a). The Supreme Court has interpreted this provision as requiring jurisdiction over a habeas petitioner’s custodian, regardless of whether the petitioner is within the court’s jurisdiction. *Rumsfeld v. Padilla*, 542 U.S. 426, 434–35 (2004) (holding that the proper respondent for a habeas corpus action “is ‘the person’ with the ability to produce the prisoner’s body before the habeas court”). This Court lacks jurisdiction over the Warden of FCI-Milan because FCI-Milan is located in the County of Washtenaw, Michigan. <https://www.bop.gov/locations/institutions/mil/>.

The Court therefore concludes that the proper venue for this case is the United States District Court for the Eastern District of Michigan. *See* 28 U.S.C. § 102(a)(1). A federal district court may transfer a civil action to any district or division where it could have been filed originally “in the interest of justice.” 28 U.S.C. § 1406(a). Accordingly, the Court **DIRECTS** the Clerk to transfer this action to the United States District Court for the Eastern District of Michigan and to close this Court’s file. An appropriate judgment shall order.

SO ORDERED.

ENTER:

s/ Katherine A. Crytzer
KATHERINE A. CRYTZER
United States District Judge